



**STATE OF NEW JERSEY**

In the Matter of Tiffany Diaz, Senior  
Library Assistant (PM3348C),  
Perth Amboy

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

CSC Docket No. 2022-591

Examination Appeal

**ISSUED: DECEMBER 6, 2021 (SLK)**

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Tiffany Diaz appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the experience requirements for the promotional examination for Senior Library Assistant (PM3348C), Perth Amboy.

The subject examination’s closing date was June 21, 2021. The examination was open to employees serving as Library Assistant, Keyboarding Clerk 2, or Clerk 1. The experience requirements were one year of experience which has demonstrated a practical knowledge of library functions, services, terminology, techniques, procedures, and tools (card catalog, microfilm, shelving and circulation systems and so forth). A total of two employees applied and one was found eligible. The list promulgated on September 2, 2021 and no certifications have been issued. The list expires on September 1, 2024.

On her application, the appellant indicated that she was provisionally serving in the subject title from January 2012 to the June 21, 2021 closing date. However, personnel records indicate that she was provisionally serving in the subject title from January 2021 to the closing date and a Clerk 1 from January 2012 to January 2021. Agency Services credited the appellant for having six months of experience based on her provisional experience in the subject title, but determined that she lacked six months of experience.

On appeal, the appellant describes how she has performed the required duties for the past 10 years. Additionally, she submits verification from the Acting Library Director/Library Business Manager, who confirms that the appellant has been performing the required duties while serving as a Clerk 1.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purpose of Title 11A, New Jersey Statutes. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In this matter, Agency Services correctly determined that the appellant was not eligible as she did not separately describe her duties as a Clerk 1. Therefore, it was unable to determine if she was performing the required duties for sufficient time prior to the June 21, 2021 closing date. However, the subject list is incomplete as there is only one eligible on the list. Further, personnel records indicate that the appellant continues to provisionally serve in the subject title and has gained the required experience after the closing date. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). Therefore, the Commission finds good cause under *N.J.A.C.* 4A:1-1.2(c) to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the appellant's experience gained after the closing date, for eligibility purposes only, and admit her to the subject examination.

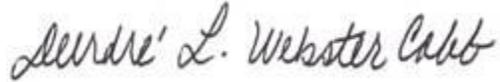
This determination is limited to the instant matter and does not provide precedent in any other matter.

## ORDER

Therefore, it is ordered that the appeal be granted, and the appellant's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 1<sup>ST</sup> DAY OF DECEMBER 2021



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